

REMARKS

Claims 1-7 are currently pending in the application.

This amendment implements the revisions to claim 1 set forth in the amendment filed September 24, 2004. As was noted in the advisory action dated October 12, 2004, the amendment overcomes the rejection of claim 5 under 35 U.S.C. 112, second paragraph.

The only outstanding rejection for the claims is based on 35 U.S.C. 101. In the advisory action mailed October 12, 2004, the Examiner indicated that the claimed invention must be limited to the technological arts in order to be deemed statutory under 35 U.S.C. 101. That is, with respect to the present invention, it is understood that the Examiner's position is that the claimed method must have some direct tie in to "technology". In this case, of course, the process has one or more steps which are implemented on an automated basis. This was discussed in more detail in the previous amendment (*See* Specification at page 4, line 34 – page 5, line 12; at page 21, line 12 ("data mining techniques"); and at page 21, lines 15-17). In order to highlight this connection to the technological arts in the claims, independent claim 1 has been amended to identify the invention as being an automated method. Item n now specifies the use of data mining techniques. This is specifically discussed in the application on page 21, at lines 6-12. Item k now specifies the use of visual tools for automating the mapping capabilities and enablers. This is discussed on page 5, at lines 9 and 10. Item o now specifies the use of automated tools for testing. This is discussed on page 5, at line 7.

In view of the above amendment, claims 1-7 should now be deemed to satisfy the requirements of 35 U.S.C. § 101. Reconsideration and allowance of the claims at an early date is requested.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone

number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 09-0458 (IBM-Fishkill).

Respectfully submitted,



Michael E. Whitham  
Registration No. 32,635

Whitham, Curtis & Christofferson, P.C.  
11491 Sunset Hills Road, Suite 340  
Reston, VA 20190  
703-787-9400  
703-787-7557 (fax)